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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/935,635	08/24/2001	Jeffrey Green	NA11P091/01.049.01	1384

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EXAMINER

HERNANDEZ, OLGA

ART UNIT            PAPER NUMBER

2144

DATE MAILED: 01/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/935,635	Applicant(s) GREEN ET AL.	
	Examiner Olga Hernandez	Art Unit 2144	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1)  Responsive to communication(s) filed on 24 August 2001.
- 2a)  This action is FINAL.                      2b)  This action is non-final.
- 3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4)  Claim(s) 1-43 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5)  Claim(s) \_\_\_\_\_ is/are allowed.
- 6)  Claim(s) 1-43 is/are rejected.
- 7)  Claim(s) \_\_\_\_\_ is/are objected to.
- 8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9)  The specification is objected to by the Examiner.
- 10)  The drawing(s) filed on 8/24/01 is/are: a)  accepted or b)  objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All    b)  Some \*    c)  None of:
1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>2</u> . | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

*Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1- 42 and 43 are rejected under 35 U.S.C. 102(e) as being anticipated by Alam et al (6,336,124).

As per claims 1, 4, 6, 8, 10-12, 31-36, and 40, Alam discloses:

- receiving an electronic file intended for delivery from a sender to an intended recipient (figures 24, 27);
- determining whether the electronic file represents a potential security risk to a computer system (column 20, lines 8-21) ;
- if it is determined that the electronic file represents the potential security risk, then forwarding to the intended recipient a notification indicating that the electronic file represents a potential security risk (column 20, lines 8-21) ; and
- receiving from the intended recipient a request to view the contents of the electronic file (column 20, lines 58-64);
- converting the electronic file from a first file format to a second file format that is different from the first file format and that prevents a

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computer virus in the electronic file from executing when the converted electronic file is opened by the intended recipient (column 20, lines 22-32); and

- making the converted electronic file available for viewing by the intended recipient (figures 3, 5, 6, 12, 24-27).

As per claims 2, 18 and 20, Alam discloses the conversion occurring in response to the received request to view the information (column 2, lines 12-27).

As per claim 3, Alam discloses the conversion occurring prior to the receiving request to view the information (figures 4-6, 11-14, 25 and 26).

As per claims 5, 23-30, 37 and 39, Alam discloses the use of multiple formats (column 2, lines 1-10).

As per claim 9, Alam discloses saving the converted electronic file in a memory that is accessible by the intended recipient (column 20, lines 64-67).

As per claims 13 and 34, Alam discloses the email sent over a network (column 2, lines 39-40, figures 24 and 25).

As per claims 7 and 14, Alam discloses the use of the Internet, indicating the webpage (column 1, line 62).

As per claims 15 and 41, Alam discloses a desktop computer (figure 1).

As per claims 16, 17 and 43, Alam discloses receiving information to different kind of computers (figures 1, 24 and 25).

As per claim 19, Alam discloses the use of a server for converting formats (column 20, lines 8-14).

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As per claim 21, Alam discloses:

- receiving a second electronic file intended for delivery from another sender to another intended recipient, the second electronic file having a third file format and containing another computer virus (figures 5-7, 11, 13, 14, 24, 25, 27, column 20, lines 8-32);
- converting the second electronic file to a fourth file format that is different from the third file format and that prevents the another computer virus from executing when the converted second electronic file is opened by the another intended recipient (column 20, lines 8-32); and
- making the converted second electronic file available for viewing by the another intended recipient (figures 3, 5, 6, 12, 24-27).

As per claims 22 and 38, macro is a single instruction in programming language that results in a series of instructions in machine language.<sup>1</sup> Therefore, the arrangement of instructions does not make a difference in the operation of an anti-virus system.

As per claim 42, Alam discloses the server computer of a LAN (figures 24 and 25).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olga Hernandez whose telephone number is (571) 272-7144.

The examiner can normally be reached on Monday through Thursday from 6:00 am to 4:30 pm.

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<sup>1</sup> *The American Heritage® Dictionary of the English Language, Third Edition* copyright © 1992 by Houghton Mifflin Company. Electronic version licensed from INSO Corporation; further reproduction and distribution restricted in accordance with the Copyright Law of the United States. All rights reserved.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Cuchlinski can be reached on (571) 272-3925. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to be 'OH' with a large loop, positioned to the left of the name and title.

Olga Hernandez  
Examiner  
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